

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

United States of America	§	
<i>ex rel.</i> Alex Doe, Relator,	§	
	§	
The State of Texas	§	No. 2:21-CV-00022-Z
<i>ex rel.</i> Alex Doe, Relator,	§	
	§	
The State of Louisiana	§	
<i>ex rel.</i> Alex Doe, Relator,	§	Date: September 21, 2023
	§	
<i>Plaintiffs,</i>	§	
v.	§	
	§	
Planned Parenthood Federation of America,	§	
Inc., Planned Parenthood Gulf Coast, Inc.,	§	
Planned Parenthood of Greater Texas, Inc.,	§	
Planned Parenthood South Texas, Inc., Planned	§	
Parenthood Cameron County, Inc., Planned	§	
Parenthood San Antonio, Inc.,	§	
	§	
<i>Defendants.</i>	§	

**DEFENDANTS’ PARTIAL OPPOSITION TO PLAINTIFFS’ MOTION FOR
EXTENSION OF TIME TO FILE RESPONSE TO DEFENDANTS’ MOTION FOR
JUDGMENT ON THE PLEADINGS**

Defendants Planned Parenthood Federation of America, Inc., Planned Parenthood Gulf Coast, Inc., Planned Parenthood of Greater Texas, Inc., Planned Parenthood South Texas, Inc., Planned Parenthood Cameron County, Inc., and Planned Parenthood San Antonio, Inc. (collectively, “Defendants”) respectfully submit this brief to clarify their position regarding Plaintiffs’ Motion for Extension of Time to File Response to Defendants’ Motion for Judgment on the Pleadings [Dkt. 540].

Plaintiffs’ characterization of their motion as “unopposed,” Dkt. 540 at 1, is only partially correct. Plaintiffs seek an extension “until October 4, 2023, or until the Court has resolved Plaintiffs’ Motion to Strike and Stay Briefing.” Dkt. 540 at 2 (emphasis added); Dkt. 540-1

(proposed order seeking same relief). As Defendants' counsel explained in email correspondence before Plaintiffs filed their motion, Defendants reluctantly agreed in the spirit of cooperation not to oppose a time-limited extension to October 4. But Defendants oppose an indefinite extension "until the Court has resolved Plaintiffs' Motion to Strike" for the same reasons they opposed a briefing stay. *See* Dkt. 537 at 4. Each of the arguments Plaintiffs raise in their motion to strike should have been raised in an opposition to Defendants' motion, along with Plaintiffs' arguments on the merits. Plaintiffs should not be rewarded for filing an improper motion to strike with an indefinite stay of briefing on the underlying motion.

For these reasons, if the Court is inclined to grant Plaintiffs any extension, Defendants respectfully request that the Court extend the deadline for Plaintiffs to respond to Defendants' Motion for Judgment on the Pleadings to no later than October 4.

Dated: September 21, 2023

Respectfully Submitted,

ARNOLD & PORTER KAYE SCHOLER LLP

/s/ Tirzah S. Lollar

CRAIG D. MARGOLIS

Craig.Margolis@arnoldporter.com

TIRZAH S. LOLLAR

Tirzah.Lollar@arnoldporter.com

CHRISTIAN D. SHEEHAN

Christian.Sheehan@arnoldporter.com

JAYCE BORN

Jayce.Born@arnoldporter.com

EMILY REEDER-RICHETTI

Emily.Reeder-Ricchetti@arnoldporter.com

MEGAN PIEPER

Megan.Pieper@arnoldporter.com

ALYSSA GERSTNER

Alyssa.Gerstner@arnoldporter.com

MEGHAN C. MARTIN

Meghan.Martin@arnoldporter.com

601 Massachusetts Ave, NW

Washington, DC 20001-3743

Telephone: +1 202.942.6127

Fax: +1 202.942.5999

PAULA RAMER
Paula.Ramer@arnoldporter.com
250 West 55th Street New York,
New York 10019-9710
T: +1 212.836.8474

CHRISTOPHER M. ODELL
Texas Bar No. 24037205
Christopher.Odell@arnoldporter.com
700 Louisiana Street, Suite 4000
Houston, TX 77002-2755
Telephone: +1 713.576.2400
Fax: +1 713.576.2499

RYAN BROWN ATTORNEY AT LAW
RYAN PATRICK BROWN
Texas Bar No. 24073967
ryan@ryanbrownattorneyatlaw.com
1222 S. Fillmore St.
Amarillo, Texas 79101
T: (806) 372-5711
F: (806) 350-7716

*Attorneys for Defendants Planned Parenthood
Gulf Coast, Inc., Planned Parenthood of Greater
Texas, Inc., Planned Parenthood of South Texas,
Inc., Planned Parenthood Cameron County, Inc.,
and Planned Parenthood San Antonio, Inc.*

Respectfully submitted,

O'MELVENY & MYERS LLP

/s/ Danny S. Ashby
DANNY S. ASHBY
Texas Bar No. 01370960
dashby@omm.com
MEGAN R. WHISLER
Texas Bar No. 24079565
mwhisler@omm.com
2501 N. Harwood Street, Suite 1700
Dallas, Texas 75201
T: (972) 360-1900
F: (972) 360-1901

LEAH GODESKY (*pro hac vice*)
lgodesky@omm.com
1999 Avenue of the Stars, 8th Floor
Los Angeles, California 90067
T: (310) 553-6700
F: (310) 246-6779

ANTON METLITSKY (*pro hac vice*)
ametlitsky@omm.com
7 Times Square
New York, New York 10036
T: (212) 326-2000
F: (212) 326-2061

RYAN BROWN ATTORNEY AT LAW
RYAN PATRICK BROWN
Texas Bar No. 24073967
ryan@ryanbrownattorneyatlaw.com
1222 S. Fillmore St.
Amarillo, Texas 79101
T: (806) 372-5711
F: (806) 350-7716

*Attorneys for Defendant Planned Parenthood
Federation of America, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2023, the foregoing document was electronically filed with the Clerk of Court using CM/ECF.

/s/ Tirzah S. Lollar
Tirzah S. Lollar